

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DAVID LAWRENCE POOLE, #160727,

Plaintiff,

v.

ALABAMA ATTORNEY GENERAL –  
STEVE MARSHALL,

Defendant.

CIVIL ACTION NO. 2:20-CV-270-WHA

**ORDER**

On May 1, 2020, the Magistrate Judge entered a Recommendation (Doc. #4) to which no timely objections have been filed. After an independent review of the file and upon consideration of the Recommendation, it is ORDERED that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The plaintiff's claims attacking the fact or duration of his incarceration on the consecutive life sentences imposed for his possession of obscene matter convictions entered against him in 1990 by the Circuit Court of DeKalb County, Alabama are DISMISSED without prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii) as such claims provide no basis for relief in the instant cause of action.
3. This case is DISMISSED without prejudice prior to service of process pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii).

A separate Final Judgment will be entered.

DONE this 27<sup>th</sup> day of May, 2020.

/s/ W. Harold Albritton

SENIOR UNITED STATES DISTRICT JUDGE